

### REMARKS

Claims 1-4, 6-22, 28-38, and 40-47 are pending. Claims 12-14, 17-19, and 22 are rejected under 35 U.S.C. § 102(b). Claims 1-4, 6-11, 14-16, 20-21, 28-38, and 40-47 are rejected under 35 U.S.C. § 103(a). Claims 1, 8, 28, 32, 37, 42, and 45 are currently amended.

Independent claims 12 and 18 are rejected under 35 U.S.C. § 102(b) as being anticipated by Reudink (U.S. Pat. No. 5,648,968). Claim 12 recites "a channel measurement circuit coupled to the plurality of spaced apart antennas and arranged to produce a **delay profile estimate of a delay between multipath signals from a remote transmitter.**" Claim 18 recites "a delay element providing a distinct delay associated with each antenna and **configured to alter the distinct delay in response to a change of a delay between multipath signals from the at least one remote transceiver.**" (emphasis added). Examiner identifies col. 8, line 67 through col. 9, line 3 of Reudink as disclosing the foregoing emphasized limitations. Applicants respectfully disagree. Reudink specifically discloses that transmitted signal delays are determined in response to received signal strength. Reudink fails to disclose that transmitted signal delays are determined in response to multipath signal delays from a remote device. Thus, claims 12 and 18 are patentable under 35 U.S.C. § 102(b). Moreover, their respective depending claims are patentable as depending from patentable base claims.

Independent claims 1, 8, 28, 32, 37, 42, and 45 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Rashid-Farrokhi et al. (U.S. Pat. No. 6,400,780) in view of Reudink. Each of claims 1, 8, 28, 32, 37, 42, and 45 is amended to define the delay profile as a delay between multipath signals. Examiner admits Rashid-Farrokhi et al. fail to teach altering the distinct delay in response to a change of an estimated delay profile. Examiner relies on Reudink for this limitation. Examiner states "Reudink teaches varying a delay applied to a transmission signal in a similar diversity transmitter in response to a change of an estimated delay profile for the purpose of improving reception at a receiver" and refers to col. 8, line 42 through col. 9, line 9. Applicants respectfully disagree. Reudink specifically discloses that transmitted signal delays

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are determined in response to received signal strength. Reudink fails to disclose that transmitted signal delays are determined in response to multipath signal delays. Thus, claims 1, 8, 28, 32, 37, 42, and 45 are patentable under 35 U.S.C. § 103(a). Moreover, their respective depending claims are patentable as depending from patentable base claims.

In view of the foregoing, applicants respectfully request reconsideration and allowance of claims 1-4, 6-7, 12-22, 37-38, and 40-47. If the Examiner finds any issue that is unresolved, please call applicants' attorney by dialing the telephone number printed below.

Respectfully submitted,



Robert N. Rountree  
Attorney for Applicants  
Reg. No. 39,347

Robert N. Rountree, LLC  
70360 Highway 69  
Cotopaxi, CO 81223  
Phone/Fax: (719) 783-0990